

**IN THE DRAWINGS:**

Submitted herewith is a replacement sheet for Fig. 3 incorporating a revision to overcome the drawing objection. More specifically, Fig. 3 has been revised to insert the legend "Prior Art".

### REMARKS

In the last Office Action, the Examiner objected to the drawings because Fig. 3 is not labeled with the legend "Prior Art." The specification was objected to as containing informalities. Claim 10 was objected to under 37 C.F.R. §1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 9 was objected to under 37 C.F.R. §1.75 as being a substantial duplicate of claim 6. Claims 1, 2, 4 and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over European Patent No. EP000585192A3 to Carroll in view of U.S. Patent No. 5,796,401 to Winer. Claims 3, 5-8, 11, 12 and 14-19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Carroll in view of Winer and further in view of applicant's prior art disclosure in Fig. 3 ("APD"). Additional art was cited of interest.

In accordance with the present response, the specification has been suitably revised to correct informalities and bring it into better conformance with U.S. practice. The previously submitted abstract has been revised to correct informalities. Submitted herewith is a replacement sheet for Fig. 3 incorporating a revision to overcome the drawing objection. More specifically, Fig. 3 has been revised to insert the legend "Prior Art".

Original independent claim 1 has been amended to incorporate the subject matter of claim 5 directed to the displayed image being a report of analysis results, and to further patentably distinguish from the prior art of record by limiting the invention to a computer user interface for creating a printing template for analysis results of an analyzer. Independent claim 13 has been amended to recite, in means-plus-function format, the structure for displaying an image of the sample characteristics and an item list. Claims 2-8 and 11-12 have been amended to conform to the amendment to independent claim 1. Claims 9-10 have been canceled, thereby rendering the objections under 37 C.F.R. §1.75 moot.

Applicant requests reconsideration of his application in light of the following discussion.

#### **Brief Summary of the Invention**

The present invention is directed to a computer user interface for creating a printing template for analysis results of an analyzer.

Conventional computer user interfaces for creating printing templates include items of information arranged in a display area independently without any type of arrangement relationship. For example, when the items of information are displayed in a vertical arrangement, the starting positions of

the contents thereof are not aligned and are difficult to differentiate from one another. In order to vertically align the contents of the items of information, the procedure required cannot be performed automatically, but instead requires separate editing operations (e.g., insertion of spaces) which renders the process expensive and time consuming to accomplish.

Moreover, applicant has identified a need for improving the readability and attractiveness of printed analysis results of an analyzer. This is particularly desirable for analysis results consisting of numerous types of measurement items and parameters.

The present invention overcomes the foregoing drawbacks associated with conventional computer user interfaces for creating printing templates and provides a solution to the need for improving the readability and attractiveness of printed analysis results of an analyzer by providing a computer user interface having a group editing function for performing group editing of items (e.g., title and contents of analysis conditions) within a group of items in a displayed image corresponding to a report of analysis results, such as performing character position alignment of the contents in the grouped items.

Figs. 1-2 show a computer user interface for creating a printing template for analysis results of a analyzer according to the present invention embodied in the claims. The computer user interface comprises display means (e.g., a video screen) having an image displaying area 1 for displaying a report of analysis results of the analyzer, and an item displaying area 2 for displaying printing items (e.g., title and contents of analysis conditions) corresponding to analysis conditions in a list. The computer user interface further comprises drag-and-drop means for enabling a user to drag-and-drop an item from the item displaying area 2 to a desired position within the image displaying area 1 where a report of analysis results is displayed so that the selected item is displayed in the report of analysis results.

The computer user interface according to the present invention further comprises means for attaching the dropped item to the end of an existing item and recognizing both items as information belonging to the same group when the existing item is at the same position as the dropped item, and group editing means for performing group editing of items in the same group. For example, the group editing means performs character position alignment of the positions of the first characters of the printing items.

By the foregoing construction, group editing can be performed in the report of analysis results in an efficient and economical manner. For example, group editing can be performed for character position alignment such as position alignment of first characters or digit alignment of numeric values, display attributes such as size, color, and font, and position adjustment of grouped items, thereby eliminating the necessity of manually editing titles for each item (e.g., analysis conditions) separately.

#### Traversal of Prior Art Rejections

Claims 1, 2, 4 and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Carroll in view of Winer. Applicants respectfully traverse this rejection and submit that the combined teachings of Carroll and Winer do not disclose or suggest the subject matter recited in amended independent claims 1 and 13 and dependent claims 2 and 4.

Amended independent claim 1 is directed to a computer user interface for creating a printing template for analysis results of an analyzer. Claim 1 requires display means having an image displaying area for displaying a report of analysis results of the analyzer, and an item displaying area for displaying printing items corresponding to analysis conditions in a list. Claim 1 further requires drag-and-drop

means for enabling a user to drag-and-drop an item from the item displaying area to a desired position within the image displaying area where a report of analysis results is displayed so that the selected item is displayed in the report of analysis results, means for attaching the dropped item to the end of an existing item and recognizing both items as information belonging to the same group when the existing item is at the same position as the dropped item, and group editing means for performing group editing of items in the same group.

Amended independent claim 13 is directed to a user interface for a sample analyzer and requires display means connected to the computer and having an image displaying area for displaying an image of sample characteristics, and an item displaying area for displaying an item list of individually selectable items for which an image of sample characteristics is displayable in the image displaying area, drag-and-drop means for enabling a user to drag-and-drop items from the item list onto the image displaying area using an input device connected to the computer, means for appending a dropped item onto an end of an existing item and recognizing both items as belonging to the same group when the existing item is located at the same position as the dropped item, and group editing means for performing group editing of items of the same group.

Thus amended independent claim 1 is directed to a computer user interface for creating a printing template for analysis results of an analyzer and requires display means having an image displaying area for displaying a report of analysis results of the analyzer, and an item displaying area for displaying printing items corresponding to analysis conditions in a list. Likewise, amended independent claim 13 is directed to a user interface for a sample analyzer and requires display means connected to the computer and having an image displaying area for displaying an image of sample characteristics, and an item displaying area for displaying an item list of individually selectable items for which an image of sample characteristics is displayable. As recognized by the Examiner, the combined teachings of Carroll and Winer do not disclose or suggest the structural combination and corresponding functions of the computer user interface (claim 1) and user interface (claim 13) recited in amended independent claims 1 and 13 (see section 10 of Office Action). Thus amended independent claims 1 and 13 are not rendered obvious by the combined teachings of Carroll and Winer because the references do not disclose or suggest the modifications that would be needed to replicate the claimed invention.



Claims 2 and 4 depend on and contain all of the limitations of amended independent claim 1 and, therefore, distinguish from the references at least in the same manner as claim 1.

Accordingly, applicant respectfully submits that claims 1, 2, 4 and 13 patentably distinguish over the combined teachings of Carroll and Winer and that the claim rejection under 35 U.S.C. §103(a) should be withdrawn.

Claims 3, 5-8, 11, 12 and 14-19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Carroll in view of Winer and further in view of APD. Applicants respectfully traverse this rejection and submit that the combined teachings of Carroll, Winer and APD do not disclose or suggest the subject matter recited in claims 3, 5-8, 11, 12 and 14-19.

Carroll in view of Winer do not disclose or suggest the subject matter recited in amended dependent claims 3, 5-8, 11, 12 and 14-19 as set forth above for the rejection of claims 1, 2, 4 and 13 under 35 U.S.C. §103(a). Claims 3, 5-8, 11, 12 and 14-19 depend on and contain all of the limitations of amended independent claims 1 and 13, respectively, and, therefore, distinguish from the references at least in the same manner as claims 1 and 13.

The Examiner cited APD for its disclosure of a user interface for creating a printing template for analysis results of an analyzer. With respect to the subject matter recited in amended independent claims 1 and 13 directed to the structural combination of a computer user interface for creating a printing template for analysis results of an analyzer (claim 1) and a user interface for a sample analyzer (claim 13), and with respect to the subject matter recited in dependent claims 5-8 and 14-16 directed to the specific listed items corresponding to title and contents of analysis conditions (claims 5-8) and the specific sample characteristic and parameters, the Examiner contends that it would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt the user interfaces disclosed by Carroll and Winer for the specific analysis results of an analyzer, as recited in independent claims 1 and 13 and dependent claims 5-8 and 14-16, because the analysis report is a "well-known type of document". Applicant respectfully disagrees with the Examiner's contention.

The present invention claimed in each of amended independent claims 1 and 13 and corresponding dependent claims 5-8 and 14-16 is explicitly directed to a user interface for creating a printing template for analysis results of a sample analyzer. Independent claims 1 and 13 and corresponding dependent claims 5-8 and 14-16 require means for editing in

groups analysis conditions and parameters of an analyzed sample. By the foregoing construction and corresponding functions recited in the amended claims, group editing can be performed in the report of analysis results in an efficient and economical manner. For example, group editing can be performed for character position alignment such as position alignment of first characters or digit alignment of numeric values, display attributes such as size, color, and font, and position adjustment of grouped items, thereby eliminating the necessity of manually editing titles for each analysis condition separately.

The Examiner has relied upon Carroll, as modified by Winer, for its disclosure of a user interface for creating printing templates, and further upon APD for its disclosure of a printing template for analysis results. However, the combined teachings of the references do not disclose or suggest editing means for performing the specific functions recited in the amended claims, including group editing of items corresponding to analysis conditions of analysis results of an analyzer (claim 1) such as title and content of analysis conditions (claims 5-8), and group editing of items corresponding to characteristics of an analyzed sample (claim 13) such as descriptive parameters (i.e., measurement parameters, sample name, analysis date recited in claims

15-16) relating to the sample or an analysis performed on the sample (claim 14), as recited in claims 1, 5-8 and 13-16.

Thus, while some of the elements recited in amended independent claims 1 and 13 and corresponding dependent claims 5-8 and 14-16 are present in bits and pieces in the references, "it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art" in order to establish a prima facie case of obviousness. In re Wesslaw, 147 USPQ 391 (CCPA 1965). In this case, the Examiner has improperly selected certain features from Carroll, Winer and APD without considering other teachings in the references which are necessary to the full appreciation of what the references fairly suggest to one of ordinary skill in the art. The Examiner has failed to establish a recognition in the prior art, and thus knowledge thereof, of editing means for performing the specific functions recited in the amended claims, including group editing of items corresponding to analysis conditions of analysis results of an analyzer (claim 1) such as title and content of analysis conditions (claims 5-8), and group editing of items corresponding to characteristics of an analyzed sample (claim 13) such as descriptive parameters (i.e., measurement parameters, sample

name, analysis date recited in claims 15-16) relating to the sample or an analysis performed on the sample (claim 14), as as recited in the claims.

Accordingly, applicants respectfully submit that the Examiner has done little more than cite references to show that one or more elements or subcombinations thereof, when each is viewed in a vacuum, is known. The Federal Circuit has made it clear that the prior art must show an incentive to modify its teachings in order to render a claim obvious. Without such an incentive, a prima facie case of obviousness cannot be made. In re Fritch, 23 USPQ2d 1780, 1783 (Fed. Cir. 1992).

Furthermore, as stated by the Board in Ex parte Clapp, 227 USPQ 972, 973 (BPAI 1985),

To support the conclusion that the claimed combination is directed to obvious subject matter, either the reference must expressly or impliedly suggest the claimed combination or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in the light of the teachings of the references....Based upon the record before us, we are convinced that the artisan would not have found it obvious to selectively pick and choose elements or concepts from the various references so as to arrive at the claimed invention without using the claims as a guide. It is to be noted that simplicity and hindsight are not proper criteria for resolving the issue of obviousness.

In the present case, there is no teaching or suggestion in the prior art and the Examiner has not provided a convincing line of reasoning which suggests the desirability of combining the references in the manner set forth in the statement of rejection to arrive at the claimed invention. Therefore, the proposed combination of Carroll, Winer and APD does not result in the claimed invention.

In the absence of applicant's own disclosure, the skilled artisan would not have been led by any teaching in Winer and APD to modify Carroll to defeat the claims. The proposed modification of Carroll is not based on any teaching in Winer and APD, but rather on applicant's own disclosure. Such hindsight reconstruction of the art is unavailing to demonstrate obviousness. Panduit Corp. v. Dennison Manufacturing Co., 227 USPQ 337, 343 (Fed. Cir. 1985).

Moreover, none of the cited references addresses nor provides a solution to the problem identified by the Examiner relating to the need for improving the readability and attractiveness of printed analysis results of an analyzer, particularly for analysis results consisting of numerous types of measurement items and parameters. As noted above, present invention embodied in claims 1, 5-8 and 13-16 provides a solution to the need for improving the readability and attractiveness of printed analysis results of an analyzer by

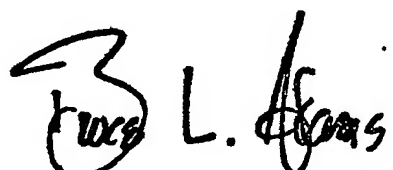
providing a computer user interface having a group editing function for performing group editing of items (e.g., title and contents of analysis conditions) within a group of items in a displayed image corresponding to a report of analysis results, such as performing character position alignment of the contents in the grouped items.

In view of the foregoing, applicant respectfully requests that the rejection of claims 3, 5-8, 11, 12 and 14-19 under 35 U.S.C. §103(a) as being unpatentable over Carroll in view of Winer and further in view of APD be withdrawn.

In view of the foregoing amendments and discussion,  
the application is believed to be in allowable form.  
Accordingly, favorable reconsideration and allowance of the  
claims are most respectfully requested.

Respectfully submitted,

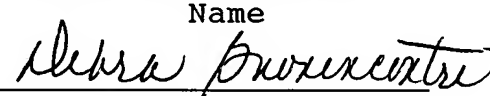
ADAMS & WILKS  
Attorneys for Applicant

By:   
Bruce L. Adams  
Reg. No. 25,386

17 Battery Place  
Suite 1231  
New York, NY 10004  
(212) 809-3700

MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: MS FEE AMENDMENT COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Debra Buonincontri  
Name  
  
Signature  
August 2, 2005  
Date